

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TERRENCE MCBRIDE,

Plaintiff,

-against-

ORDER
18-CV-4733 (JS) (ARL)

NASSAU COUNTY CORRECTIONAL FACILITY
MEDICAL DEPARTMENT, JANE DOE DOCTOR,
JANE DOE NURSE, JOHN DOE DOCTOR,
JANE DOE NURSE,

Defendants.

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APPEARANCES

For Plaintiff: Terrence McBride, pro se
18000772
Nassau County Correctional Center
100 Carman Avenue
East Meadow, NY 11554

For Defendants: No appearances.

SEYBERT, District Judge:

On August 13, 2018, incarcerated pro se plaintiff Terrence McBride ("Plaintiff") filed a Complaint in this Court pursuant to 42 U.S.C. § 1983. Plaintiff did not remit the filing fee, nor did he file an application to proceed in forma pauperis. Accordingly, by Notice of Deficiency dated August 21, 2018, Plaintiff was instructed to, within fourteen (14) days, either remit the filing fee or complete and return the application to proceed in forma pauperis and Prisoner Litigation Authorization form. (See Notice, Docket Entry 2.) On September 4, 2018, the Notice was returned to the Court as undeliverable and was stamped

"Unable to Forward", "Discharged". (See Docket Entry 5.) On August 23, 2018 a second letter was sent by the Court, (see Docket Entry 4), to Plaintiff at his address of record which also was returned as undeliverable and stamped "Return to Sender" "Not Deliverable as Addressed--Unable to Forward." (See Docket Entry 6.)

To date, Plaintiff has not paid the filing fee or filed an application to proceed in forma pauperis, nor has he otherwise communicated with the Court. Accordingly, Plaintiff appears to no longer be interested in pursuing this case and it is thus DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b). The Clerk of the Court is directed to CLOSE this case and to mail a copy of this Order to the pro se Plaintiff.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: December 14, 2018
Central Islip, New York